

1896-012
Lee Co

Chancery Causes T. L. Bowling vs. C. M. Morris

Bowlin

CA-Debt
T-Property

To the Honorable W. T. Miller, Judge of the Circuit Court of Lee County, Virginia:

Humbly complaining your orator T. L. Bowlin, would respectfully represent and shew unto your honor that on the 22nd day of December 1894, he obtained before H. C. Joslyn, one of the Justices of said county, a judgement against C. M. Morris for the sum of \$50.00, with interest thereon from the 1st day of January 1894, 'till paid and \$1.00 costs. Your orator alleges that the said judgement or ^{any} ~~no~~ part thereof has been paid. A copy of said judgement is herewith filed marked "A," as part hereof. Your orator further alleges that an execution was issued on said judgement directed to the proper officer of said ~~county~~ county, who returned the same endorsed "No property found". This said judgement has been properly docketed and indexed in both the name of the plaintiff and defendant in the proper lien docket in the County Court Clerk's office of said county. Your orator now alleges that the said C. M. Morris is seized and possessed in fee simple of a certain lot or tract of land situated in the suburbs of Jonesville, in said ~~county~~ county, and on which he now lives and containing acres. Your orator would also allege that the said tract of land was purchased from him by the said defendant and that when he made him a deed of conveyance he retained a vendor's lien for the unpaid purchase money, and the judgement above mentioned was obtained for the purchase money, being yet due and unpaid your orator on the said tract of land. Your orator also alleges that this said lien is the only lien of whatsoever kind now ~~existing~~ existing against said land.

Now, ~~the~~ Your orator has been informed that though careful search has been made to the records of the County Court Clerk's office of said ~~county~~ county, no recordation of the said deed can be found, and therefore he can not exhibit a copy thereof.

The prayer of your orator therefore is that the said C. M. ~~Morris~~ Morris be made the party defendant to this bill, and that he be required to answer the same, but not on oath that being waived, and that upon a final hearing a decree be pronounced for the sale of the said lot or tract of land to satisfy your orators' lien aforesaid. Your orator prays for such other further and general relief as the merits of this cause may entitle him to receive. May process issue, directed, &c.

And your orator

L

And your motion will ever pray, &c.

Thrs, Blankenship & Co.,
P. O.

VIRGINIA--LEE COUNTY, TO-WIT:

TO C. E. Cheek Constable of said County:

I HEREBY COMMAND YOU TO SUMMON C. M. Morris

If to be found in your District to appear at Jonesville in said county, on the
22^d day of Dec 1894 before me or such other Justice of the said County, as may be thereto
try this warrant, to answer complaint of T. L. Bowling

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$ 50.00 due
by Note, and then and there make return of this warrant,

Given under my hand the 10th day of Dec 1894.
H. B. Jorlyn J. P.

T. L. Bowling
Against C. M. Morris } On the 22^d day of Dec 1894
(In debt.) At Jonesville in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$ 50.00, with interest thereon from the
1st day of Jan 1894 till paid, and \$ 1.00 for costs.

H. B. Jorlyn, J. P.

VIRGINIA--Lee County, To-wit: To C. E. Cheek Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of.....

C. M. Morris
....., in your county, you cause to be made the sum of \$ 50.00 with
interest thereon from the 1st day of Jan 1894 till paid, which T. L.

Bowling has recovered before me in a
warrant in debt, and also the sum of \$ 1.00 which were adjudged to the said T. L.

Bowling for costs in prosecuting said warrant.

Given under my hand the 22^d day of Dec 1894.

H. B. Jorlyn J. P.

J. L. Bowling
V.B. Warrant
L. M. Morris

Executed this
17th day of Dec 1894.
L. E. Cheek L. C.

not executed no
Pratt's pamphlet
January 16th 1895
L. E. Cheek L. C.

Darkened in
Judgment here
Darket Page 98

Filed in office
Jan 11th 1895
J. B. Richmond Clerk

A

The Commonwealth of Virginia,

To the Sheriff of the County of Lee--Greeting:

again
WE ^A COMMAND YOU, That you summon *C. M. Morris*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *3rd* Monday in *October*, 189*5*, to answer a
bill in Chancery, exhibited against *him* in our said court by

L. L. Bowling

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *7th* day of *October*, 189*5*, and in the

120th
H. year of the Commonwealth.

A. B. Munsey Clerk.

Nancey

T. L. Bowling

SUBPOENA

vs.

IN CHANCERY.

C. M. Morris

Orr B + Ewing p. q.

To 2nd Oct Rules,

Circuit Court.

Executed Oct 21st 95
By delivering on office
Copy of the within
Summons to Nancey
Morris wife of C. M.
Morris he not
being found at this
House

Wm. P. Weston S. C. C.

Executed Oct. 21, 1895, say de-
livering an office copy of the within
Summons to Nancey Morris, wife of C. M. Morris,
at his residence and reading & explaining
the same to her, she being over the age of
16 years & he not being found at
his usual place of abode.

Wm. P. Weston S. C. C.

T. L. Bowling

r. } Bill.

C. M. Morris.

Orr, Blankenship & Ewing
P.O.

1895 - 2nd Oct rules bill
filed Spa 24d & D M

" 1st Nov rules taken
the last Monday in Oct
D M Confirmed & Cause
Set for hearing

Plffs Costs C 6.96
S 1.00

atty 5.00
Estimate 5.00

\$17.96

T. L. Bowling, Plaintiff

Against (In Chancery.

C. M. Morris, Defendant.

This cause came on this day to be heard again upon the papers formerly read in the cause and the report of George W. Blankenship, ~~Sp~~ Special Commissioner, and was argued by counsel. Upon consideration of which and it appearing from said report that said Commissioner has collected the purchase money from the purchaser James B. Bowling, and that he has disbursed the same together with the costs of this suit to those entitled thereto, and the said report being unaccepted to the ~~xxx~~ same is hereby confirmed. And the Court doth hereby appoint W. A. ~~Orr~~ Orr, Sr., a Special Commissioner, who shall make and execute a deed with covenants of ~~xxxxxxx~~ special warranty to the purchaser James B. Bowling to the land in the cause described, and he will report his action to this term of the Court. And the said Orr Special Commissioner as aforesaid having here filed the said report and deed and the said ~~xx~~ report being unaccepted to the same is hereby confirmed and the said James B. Bowling may withdraw said deed from the files in this cause. And the Court doth further adjudge order and decree that W. A. Orr, Sr, ~~Sp~~ Special Commissioner recover from James B. Bowling the sum of \$2.50 for the execution of said deed, ~~if~~ and if necessary he may have ~~e~~ execution therefor. And the cause is stricken from the docket.

(3)

J. L. Bowling
vs. / Decree final.

C. M. Morris

Q. B. P. 349

Enter this Decree

M. L. L.

March 6, 1896.

T. L. Bowling, Plaintiff

Against (In Chancery.

C. M. Morris, Defendant.

to be heard

This cause came on this day upon the papers formerly read in the cause and the report of sale to James B. Bowling by George W. Blankenship, Special Commissioner, and was argued by counsel. On consideration of which, and it appearing that said report was filed ten days before the beginning of this court and being unaccepted to, the same is ~~hereby~~ hereby confirmed. And the Court doth further order, adjudge and decree that the said Commissioner accept the purchase money from the purchaser, James B. Bowling, and that he pay the same to those entitled, and that he report his action to this term of the Court, until the coming in of which this cause is continued.

(2)

J. L. Bowling

28. { Deere

C. M. Morris

O.B. P. 349

Enter this Deere

W L M

March 6, 1896.

Virginia

At a circuit Court continued and held
for Lee County at the Court-house thereof on
Tuesday Nov 12th 1895.

T. L. Bowling

Plff

against

C. M. Morris

Def

In Chancery

This Cause came on to be heard upon
the bill of the plaintiff and exhibits therewith
process duly executed on the defendant, and
was argued by Counsel. On Consideration
thereof, and the defendant failing to ap-
pear plead or answer the bill is taken
for confessed against him, and it is
adjudged ordered, and decreed that the
plaintiff recover against the defendant
\$57.00 the amount of the judgment in the
bill mentioned, with interest on \$50.00
part ^{thereof} from the 1st day of January 1894,
untill paid, and that the same is a lien
upon the land in the bill mentioned
and unless the same is paid within
30 days from the adjournment of this
Court then George W Blankenship who
is hereby appointed a Commissioner
for the purpose, will proceed to sell
at the front door of the Court-house of

This County on some Court day to the highest bidder on a credit of one and two years time, the land in the bill mentioned, or so much thereof as may be necessary to pay the amount of this decree. Said Commissioner before selling will advertise the time, terms and place of sale at least thirty days by written advertisements posted at the front door of the Court-house of this County and the vicinity of said setting forth the time terms and place of sale. Said Commissioner will require the costs of this suit and expense of sale to be paid in hand, and for the residue will take bonds with good security payable to himself bearing interest from date, on the aforesaid, and ^{will} execute bond in the sum of \$200.00 before the Clerk of this Court conditioned according to law, and report his action to the next term of this. And this cause is continued.

A Copy Teste

A B Munsey Clerk

J. L. Bowling
Copy of Decree
to M. Morris

Executed by deliver-
ing a copy of
the within decree to
G. W. Blankenship
this Dec 11 - 1898.
J. M. Weston D. S.
for Wm. P. Weston
D. S. C.

Copy for
G. W. Blankenship
C 78.

T. L. Bowling, Plaintiff

Against(---In Chancery.

C. M. Morris, Defendant.

To the Honorable W. T. Miller, Judge of the Circuit Court of Lee
County, Virginia:-

Your undersigned Commissioner ~~in~~ in the above styled
cause reports that after having advertised thirty days he executed
your honor's decree dated Nov. 12th 1895, by selling the land in the
bill and pleadings named at the front door of the Court House of Lee
county, at public out cry, on the 20th day of January 1896, that being
the first day of the January term of the County Court for said county,
to James B. Bowling at the price \$56.16 ; that the purchaser ~~executed~~
executed to your commissioner his two notes for the sum of \$38.20, ~~it~~
with Geo. W. Hughes, as his security, bearing interest from
date; the first of which is due in one year and the second in two
years ; that the residue was paid to you commissioner as and for the
costs of this suit and commissions of sale. Your commissioner recom-
mends a confirmation of the sale.

Respectfully Submitted.

February 6, 1896. }

Geo. W. Blankenship,
Commissioner.

Acct of bid \$56.16
2 notes \$19.10 each — \$38.20
Col. Costs of this suit 17.96
\$56.16

J. I. Bowling,

28. } Comer's Report.

C. M. Morris.

Filed Feby 7th 1896

A. B. Munsey Clerk

Respectfully Submitted.

Communicated.

T. L. Bowling, Plaintiff

Against (In Chancery.

C. M. Morris, Defendant.

To the Honorable W. T. Miller, Judge of the Circuit Court of
Lee County, Virginia:-

Your undersigned Commissioner begs leave to report that he has
discharged the duty required of him by your honor's decree of March 6,
1896, by having executed to James B. Bowling ~~for~~ a deed for the land
described in this cause. Which deed is here filed marked " A ".
This the 6th day of March 1896.

Respectfully Submitted.

Wm A. Orr, Jr., S. Lewis.

Special Commissioner.

J. L. Boling

vs } Report - and
Land Co J. B. Boling

C. M. Morris

Filed in open court
and by leave thereof
March the 6th 1896
A B Munnay Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

C. M. Morris

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *1st* Monday in *October*, 189*8*, to answer a
bill in Chancery, exhibited against *him* in our said court by

L. L. Bowling

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *25th* day of *September*, 189*8*, and in the

~~11~~ *120th* year of the Commonwealth.

A copy Teste

A. B. Munsey Clerk

A. B. Munsey Clerk.

vs.

SUBPENA
IN CHANCERY.

p. q.

To Rules,
Circuit Court.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

C M Morris

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *15th* Monday in *October*, 189*8*, to answer a
bill in Chancery exhibited against *him* in our said court by

V L Bowling

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *25th* day of *September*, 189*8* and in the

120th year of the Commonwealth.

A B Munsey Clerk.

T. L. Bowling

SUPCENA

vs.

IN CHANCERY.
L. M. Morris

O. B. & E. p. q.

To 1st Oct Rules,
Circuit Court.

Not executed.

W. P. Weston Scl